

### **REMARKS**

Claims 71-74, 76-117, and 119-189 were pending in the present application. Claims 112, 113, 145, and 146 have been withdrawn by the Examiner as drawn to a non-elected invention. By virtue of this response, claims 167 and 168 have been amended and new claims 190-244 have been added. Accordingly, claims 71-74, 76-111, 114-117, 119-144, and 147-244 are currently under consideration. Amendment and cancellation of certain claims is not to be construed as a dedication to the public of any subject matter of the claims as previously presented.

Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached pages are captioned **"VERSION WITH MARKINGS TO SHOW CHANGES MADE"**.

Support for the new claims can be found throughout the specification. Support for the amendment to claims 167 and 168 that recites wherein said cells are not lysed by said method can be found at least at page 5, lines 8-10.

Applicants respectfully request entry of the present Supplemental Amendment.

### **CONCLUSION**

If it is determined that a telephone conversation would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

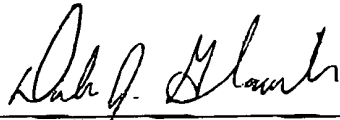
In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicants petition for any required relief including extensions of time and authorizes the Assistant Commissioner to

charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account N . 03-1952 referencing docket no. 212302000301.

Respectfully submitted,

Dated: October 4, 2001

By:



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**VERSION WITH MARKINGS TO SHOW CHANGES MADE****DIRECT SELECTION OF CELLS BY SECRETION PRODUCT****In the Claims:**

Claims 167 and 168 have been amended, as follows:

167. (Once amended) A method to determine the proportion of cells labeled with a product in a cell population, wherein the cells labeled with the product secrete said product, comprising the steps of:

- a) culturing a cell population, wherein said cells of said population are coupled to a capture moiety which specifically binds a product secreted by said cells, under conditions wherein the product is secreted and bound to said capture moiety;
- b) labeling the cells of step a) with at least one additional label moiety that does not label the product bound to said capture moiety; and
- c) comparing the proportion of cells comprising secreted product bound to said capture moiety to the proportion of cells labeled with said label moiety, thereby determining the proportion of cells in the population that secretes the product; and  
wherein said cells are not lysed by said method.

168. (Once amended) A method to determine the amount of cells labeled with a product in a population of cells, wherein the cells are labeled with the product secrete said product, comprising the steps of:

- a) culturing a cell population, wherein said cells of said population are coupled to a capture moiety which specifically binds a product secreted by said cells, under conditions wherein the product is secreted and bound to said capture moiety thereby producing cells labeled with said product; and

b) determining the amount of cells labeled with said product; and  
wherein said cells are not lysed by said method.

New claims 190-244 have been added.